

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES C. OSBORNE,

Plaintiff,

v.

STEVEN JEWITT, et al.,

Defendants

No. CV10-5431RBL/JRC

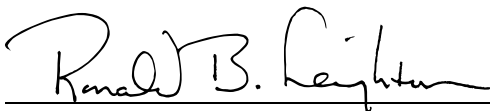
ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation [Dkt. #37], and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendant's Motion to Dismiss is GRANTED. Defendant Vail is DISMISSED WITH PREJUDICE for lack of personal participation.
- (3) The entire action is DISMISSED WITHOUT PREJUDICE for the failure to exhaust administrative remedies.

The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Richard Creatura.

DATED this 7th day of January, 2011.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

ORDER ADOPTING REPORT AND RECOMMENDATION- 1